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**BULLETIN 2016-01**

**Extension of Transitional Policy for Non-ACA Compliant Plans through Calendar Year 2017**

**Effective April 18, 2016**

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On February 29, 2016, the Center for Consumer Information and Insurance Oversight (CCIIO) issued an Insurance Standards Bulletin extending CCIIO's transitional policy through calendar year 2017 – to policy years beginning on or before October 1, 2017, provided that all policies end by December 31, 2017. As with previous transitional policies, this policy applies to non-grandfathered health insurance plans in the individual and small group markets that would otherwise terminate or require modification as a result of the federal health insurance market reforms required under the Patient Protection and Affordable Care Act (ACA).

In light of CCIIO's extended transitional policy, insurers in Ohio may offer their insureds the ability to continue/renew non-ACA compliant individual and small group coverage, at the insured's option. Insurers wishing to extend coverage shall follow CCIIO's transitional policy, including federal notice requirements, offering reenrollment or extended coverage to impacted policyholders in the individual and/or small group market in a uniform and non-discriminatory manner in accordance with Ohio law (ORC §3924.03 and §3923.57). Thus, renewals shall be treated uniformly and without regard to health status.

Please note that individual coverage includes sickness and accident insurance made available in the individual market to individuals, with or without family members or dependents, through group policies issued to one or more associations, trusts or other entities. Small group coverage applies to only employer sponsored plans.

To take advantage of CCIIO's transitional policy, filings must meet the requirements specified below.

**Filing Guidance**

For purposes of transitional policy rate filings, issuers should submit updated rates for 2017 no less than 30 days before the effective date. Filings must comply with all rate increase filing requirements including but not limited to, an actuarial memorandum that quantitatively supports all premium factors to be changed and trend factor(s), actuarial soundness of premium rates, and the premium rates to be charged (ORC §3923.021 and §1751.12), as well as applicable federal law.

For purposes of form filings, issuers should submit updated forms for 2017 to incorporate state law changes that take effect on January 1, 2017, if applicable.

All transitional policy filings must clearly indicate that they are being filed pursuant to this Bulletin.

Superintendent of Insurance

A handwritten signature in blue ink that reads "Mary Taylor". The signature is written in a cursive, flowing style.

Mary Taylor  
Lt. Governor/Director